

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 7 1967

Returned to applicant for correction _____

Corrected application filed _____ Map filed Nov. 27, 1964 under 22285

The applicant Theodore H. Berry
of Box 805, Winnemucca, County of Humboldt
State of Nevada, hereby makes application for permission to change the
Place of Use
of water heretofore appropriated under Permit 22286

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is Underground
(Name of stream, lake or other source.)
- The amount of water to be changed 0.118 c.f.s.
(Second feet, acre feet.)
- The water to be used for Mining, Milling and Domestic
(If for stock state number and kind of animals.)
- The water heretofore used for Mining & Milling
(If for stock state number and kind of animals.)
- The water is to be diverted at the following point SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, T. 29 N., R. 34 E.,
M.D.B.&M. or at a point from which the S. quarter corner said Sec. 34
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
bears S. 75° 07' W. 2453 ft.

- The existing point of diversion is located within Same as above

(If point of diversion is not changed, do not answer.)

- Proposed place of use
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
S $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, T. 29 N., R. 34 E., M.D.B.&M.
S $\frac{1}{4}$ S $\frac{1}{4}$ Sec. 36, " " "
SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, " " "
S $\frac{1}{4}$ Sec. 31, T. 29 N., R. 35 E., "
SW $\frac{1}{4}$ Sec. 32, " " "
Former place of use under 22285

- Existing place of use
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, T. 28 N., R. 34 E., M.D.B.&M.

- Use will be from January 1st to December 31st of each year.
(Month) (Month)
- Use has been from January 1st to December 31st of each year.
(Month) (Month)

11. Description of proposed works.

Water will be pumped from well and conveyed by pipe &
(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)
ditches to places of use.
(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works Completed

13. Estimated time required to construct works Completed

14. Remarks Map filed under No. 22285 will support this application

Compared by hs/jw dih/ib

Applicant s/ Theodore H. Berry

By s/ James S. Payne

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 22286 is issued subject to the terms and conditions imposed in said Permit 22286 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening, an air line and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.118 cubic feet per second

Actual construction work shall begin on or before September 13, 1968

Proof of commencement of work shall be filed before October 13, 1968

Work must be prosecuted with reasonable diligence and be completed on or before September 13, 1969

Proof of completion of work shall be filed before October 13, 1969

Application of water to beneficial use shall be made on or before September 13, 1970

Proof of the application of water to beneficial use shall be filed on or before October 13, 1970

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed Nov 24, 1969

Completion of work filed Nov 24, 1969

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

Recorded Bk. Page

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of March

A.D. 1968

State Engineer

2407

CANCELLED

NOV 21 1972

BECAUSE OF FAILURE

OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Roland D. Westergard

STATE ENGINEER